

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

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In re: BKY 19-40658  
Chapter 7  
Scheherazade, Inc.  
Debtor.

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**NOTICE OF HEARING AND MOTION OBJECTING TO CLAIM OF  
KATE WALLIN**

TO: The claimant and other entities specified in Local Rules 9013-3(a) and 3007-1:

1. Nauni Manty, the chapter 7 trustee of the bankruptcy estate of the debtor, moves the court for the relief requested below and gives notice of hearing.

2. The court will hold a hearing on this motion on **Wednesday, July 15, 2020, at 9:30 a.m.**, before the Honorable Kathleen H. Sanberg, in Courtroom No. 8 West, at the United States Courthouse, at 300 South Fourth Street, in Minneapolis, Minnesota 55415.

3. Any response to this motion must be filed and served not later than **Friday, July, 10, 2020** which is five days before the time set for the hearing (including Saturdays, Sundays and holidays). **UNLESS A RESPONSE OPPOSING THE MOTION IS TIMELY FILED, THE COURT MAY GRANT THE MOTION WITHOUT A HEARING.**

4. This court has jurisdiction over this motion pursuant to 28 U.S.C. §§ 157 and 1334, Fed. R. Bankr. P. 5005 and Local Rule 1070-1. The petition commencing this chapter 7 case was filed on March 10, 2019. This proceeding is a core proceeding. This case is now pending before this court.

5. This motion arises under 11 U.S.C. §§ 502, Fed. R. Bankr. P. 3007, 9013 and 9014 and Local Rules 3007-1, 9006-1, 9013-1 and 9013-3.

6. Kate Wallin filed a claim of \$6,056. *See* Claim No. 133. A copy of the claim is attached as Exhibit A. The claim relates to three pieces of jewelry sold by the debtor prepetition. Attached to Ms. Wallin's claim is the Vendor Open Invoice statement provided to Ms. Wallin by the debtor. The invoice shows a total of \$2,271 due to Ms. Wallin on the three items of jewelry sold by the debtor. Said document also shows the date each item was sold and how much is due to Ms. Wallin for each item.

7. The trustee requests that Claim No. 133 be allowed as a general unsecured claim of \$2,271, the balance due Ms. Wallin as shown on the attachment to her proof of claim.

**WHEREFORE**, the trustee requests that the objection to the claim of Kate Wallin, claim no. 133 be sustained and the claim be allowed as a general unsecured claim of \$2,271.

MANTY & ASSOCIATES, P.A.

Dated: June 10, 2020

/s/ Mary F. Sieling

Nauni Manty (#230352)

Mary F. Sieling (#389893)

401 Second Avenue North, Suite 400

Minneapolis, MN 55401

Phone: (612) 465-0990

Email: [mary@mantylaw.com](mailto:mary@mantylaw.com)

*Attorneys for the Chapter 7 Trustee*

**Fill in this information to identify the case:**

|                                |                       |
|--------------------------------|-----------------------|
| Debtor 1                       | Scheherazade, Inc.    |
| Debtor 2                       |                       |
| (Spouse, if filing)            |                       |
| United States Bankruptcy Court | District of Minnesota |
| Case number:                   | 19-40658              |

**FILED**  
**U.S. Bankruptcy Court**  
**District of Minnesota**  
 6/5/2019  
 Lori Vosejpka, Clerk

**Official Form 410**  
**Proof of Claim**

04/16

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

**Part 1: Identify the Claim**

|   |  |   |
|---|--|---|
| <b>1. Who is the current creditor?</b>  | Kate Wallin<br>Name of the current creditor (the person or entity to be paid for this claim)<br>Other names the creditor used with the debtor  |   |
| <b>2. Has this claim been acquired from someone else?</b>                       | <input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes. From whom?   |   |
| <b>3. Where should notices and payments to the creditor be sent?</b>            | <b>Where should notices to the creditor be sent?</b><br>Kate Wallin<br>Name<br>1950 Grant Alcove<br>Eagan MN 55122<br>Contact phone 612-205-6782<br>Contact email katewallin@msn.com<br>Uniform claim identifier for electronic payments in chapter 13 (if you use one): | <b>Where should payments to the creditor be sent? (if different)</b><br>Name<br>Contact phone<br>Contact email<br>Filed on MM / DD / YYYY |
| <b>4. Does this claim amend one already filed?</b>                              | <input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes. Claim number on court claims registry (if known) Filed on MM / DD / YYYY   |   |
| <b>5. Do you know if anyone else has filed a proof of claim for this claim?</b> | <input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes. Who made the earlier filing?   |   |

**Part 2: Give Information About the Claim as of the Date the Case Was Filed**

|  |  |
|--|--|
| <b>6. Do you have any number you use to identify the debtor?</b> | <input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: _____  |
| <b>7. How much is the claim?</b>                                 | <div style="display: flex; justify-content: space-between;"> <span>\$ 6056.00</span> <div style="text-align: right;"> <b>Does this amount include interest or other charges?</b><br/> <input checked="" type="checkbox"/> No<br/> <input type="checkbox"/> Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A). </div> </div>   |
| <b>8. What is the basis of the claim?</b>                        | <p>Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card. Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).<br/> Limit disclosing information that is entitled to privacy, such as healthcare information.</p> <p style="text-align: center;">Sold Estate Jewellery</p>   |
| <b>9. Is all or part of the claim secured?</b>                   | <input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes. The claim is secured by a lien on property.<br><b>Nature of property:</b><br><input type="checkbox"/> Real estate. If the claim is secured by the debtor's principal residence, file a <i>Mortgage Proof of Claim Attachment</i> (Official Form 410-A) with this <i>Proof of Claim</i> .<br><input type="checkbox"/> Motor vehicle<br><input type="checkbox"/> Other. Describe: _____<br><br><b>Basis for perfection:</b> _____<br><br>Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)<br><br><div style="display: flex; justify-content: space-between;"> <div> <b>Value of property:</b><br/><br/> <b>Amount of the claim that is secured:</b><br/><br/> <b>Amount of the claim that is unsecured:</b> </div> <div> \$ _____<br/> \$ _____<br/> \$ _____ (The sum of the secured and unsecured amounts should match the amount in line 7.) </div> </div> <div style="margin-top: 20px;"> <b>Amount necessary to cure any default as of the date of the petition:</b> \$ _____<br/><br/> <b>Annual Interest Rate</b> (when case was filed) _____ %<br/> <input type="checkbox"/> Fixed<br/> <input type="checkbox"/> Variable </div> |
| <b>10. Is this claim based on a lease?</b>                       | <input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes. <b>Amount necessary to cure any default as of the date of the petition.</b> \$ _____   |
| <b>11. Is this claim subject to a right of setoff?</b>           | <input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes. Identify the property: _____   |

|   |   |                             |
|---|---|-----------------------------|
| 12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?  | <input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes. Check all that apply:   | Amount entitled to priority |
| A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority. | <input type="checkbox"/> Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).  | \$ _____                    |
|   | <input type="checkbox"/> Up to \$2,850* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).  | \$ _____                    |
|   | <input type="checkbox"/> Wages, salaries, or commissions (up to \$12,850*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4). | \$ _____                    |
|   | <input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).  | \$ _____                    |
|   | <input type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).  | \$ _____                    |
|   | <input type="checkbox"/> Other. Specify subsection of 11 U.S.C. § 507(a)( ) that applies  | \$ _____                    |
| * Amounts are subject to adjustment on 4/01/19 and every 3 years after that for cases begun on or after the date of adjustment.         |   |                             |

**Part 3: Sign Below**

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157 and 3571.

Check the appropriate box:

- ☐ I am the creditor.  
☒ I am the creditor's attorney or authorized agent.  
☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.  
☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this Proof of Claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this Proof of Claim and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 6/5/2019  
MM / DD / YYYY

/s/ Matt Greenstein

Signature

Print the name of the person who is completing and signing this claim:

|               |  |                            |           |
|---------------|--|----------------------------|-----------|
| Name          | Matt Greenstein  |                            |           |
|               | First name   | Middle name                | Last name |
| Title         | Attorney for Creditor  |                            |           |
| Company       | Greenstein and Sellers PLLC  |                            |           |
| Address       | Identify the corporate servicer as the company if the authorized agent is a servicer |                            |           |
|               | 825 Nicollet Mall, Ste 1648  |                            |           |
|               | Number Street  |                            |           |
|               | Minneapolis, MN 55402  |                            |           |
| Contact phone | City   | State                      | ZIP Code  |
|               | 612-259-7573   |                            |           |
|               | Email  | matt@greensteinsellers.com |           |

Page 1 of 2  
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Figure 1

Desc Attachm

Filed 06/05/19

## Claim 133-1 Part 2

Case 19-40658

5:05 PM

05/08/19

Accrual Basis

## Vendor Open Balance

All Transactions

| Type              | Date       | Num    | Memo              | Due Date   | Open Balance    | Amount          |
|-------------------|------------|--------|-------------------|------------|-----------------|-----------------|
| Kate Wallin       |            |        |                   |            |                 |                 |
| Bill              | 11/30/2018 | 130311 | 14KY Moving ...   | 02/28/2019 | 351.00          | 351.00          |
| Bill              | 01/31/2019 | 130640 | Dbl Strand of ... | 05/01/2019 | 1,680.00        | 1,680.00        |
| Bill              | 02/20/2019 | 130686 | 14KY Warrior ...  | 05/21/2019 | 240.00          | 240.00          |
| Total Kate Wallin |            |        |                   |            | 2,271.00        | 2,271.00        |
| <b>TOTAL</b>      |            |        |                   |            | <b>2,271.00</b> | <b>2,271.00</b> |

**VERIFICATION**

I, Nauni Manty, the trustee and movant named in the foregoing notice of hearing and motion, declare under penalty of perjury that the facts contained in the foregoing motion are true and correct to the best of my knowledge, information and belief.

Dated: June 10, 2020



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Nauni Manty, Trustee



UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

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Chapter 7  
Scheherazade, Inc,  
Debtor.

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**UNSWORN CERTIFICATE OF SERVICE**

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I declare under penalty of perjury that on June 10, 2020, I caused copies of the following documents to be filed electronically with the Clerk of Court through ECF, and that ECF will send an e-notice of the electronic filing to the ECF participants:

**Notice of Hearing and Motion Objecting to Claim of Kate Wallin, Verification,  
Proposed Order and this Unsworn Certificate of Service,**

I further declare that I caused copies of the foregoing documents to be mailed by first class mail, postage prepaid, to the following non-ECF participants:

Kate Wallin  
1950 Grant Alcove  
Eagan, MN 55122

Matt GreenStein  
Greenstein & Sellers, PLLC  
825 Nicollet Mall, Ste. 1648  
Minneapolis, MN 55402

Scheherazade, Inc.  
3181 W 69<sup>th</sup> St  
Edina, MN 55435

Robert K Dakis.  
Morrison Cohen, LLP  
909 Third Ave  
New York, NY 10022

David J Kozlowski  
Morrison Cohen, LLP  
909 Third Ave  
New York, NY 10022

Joseph T Moldovan  
Morrison Cohen, LLP  
909 Third Ave  
New York, NY 10022

Wells Fargo Vendor Financial Serv, LLC fka  
GE Capital Information Tech Solutions  
c/o a Ricoh USA Program fdba Ikon Financ  
PO Box 13708  
Macon, GA 31208-3708

Dated: June 10, 2020

/s/ Kevin Carnahan  
Kevin Carnahan, Legal Assistant  
Manty & Associates, P.A.  
401 Second Avenue North, Suite 400  
Minneapolis, Minnesota 55401

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

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Chapter 7  
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**ORDER**

This matter came on before this court on the motion of the chapter 7 trustee objecting to the claim of Kate Wallin. Based upon the files, records and proceedings herein,

**IT IS ORDERED:** that the trustee's objection to the claim of Kate Wallin, claim no. 133, is sustained and the claim is allowed as a general unsecured claim of \$2,271.

Dated:

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Kathleen H. Sanberg  
United States Bankruptcy Judge